IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 13610 of 2005(T)

PETITIONER:

R.MOHANAN NAIR,
PRESIDENT, KARIMULACKAL KSHEERA VYAVASAYA
CO-OPERATIVE SOCIETY LTD. NO.A 8 D,
KOMALLUR P.O., CHARUMMOODU.

BY ADV. SRI.K.SASIKUMAR
SRI.SURIN GEORGE

RESPONDENTS:
----

1. DEPUTY DIRECTOR OF DAIRY DEVELOPMENT DEPARTMENT, ALAPPUZHA.

2. DAIRY EXTENSION OFFICER, BHARANICAVU.

BY GOVERNMENT PLEADER SRI.V.T.K.MOHANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.13610/2005

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE NOTICE DT. 15.3.05 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P2:- COPY OF THE EXPLANATION DT. 28.3.05 SUBMITTED BY THE PETITIONER TO THE EXT.P1 NOTICE.

EXT.P3:- COPY OF THE NOTICE DT. 11.4.05 ISSUED BY THE 1ST RESPONDENT.

EXT.P4:- COPY OF THE EXPLANATION DT. 20.4.05 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

/TRUE COPY/

tss

KURIAN JOSEPH J.

W.P.(C) No.13610 of 2005

Dated 13th June, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the proceedings initiated under Section 32 of the Kerala Cooperative Societies Act, 1969. During the pendency of the writ petition, the first respondent has passed Ext.R1(a) order. Though several contentions are taken, including the contention that mandatory requirements under Section 32 are not complied with, and that on merits also, the grounds for supersession are not available, in view of the fact that the petitioner has an effective remedy of appeal, this Court need not go into those disputed questions. Accordingly, the writ petition is disposed of as follows :-

In the event of the petitioner filing an appeal against Ext.R1(a) within two months from today, the appellate authority shall consider the same with notice to the parties and pass appropriate orders thereon in accordance with law, expeditiously. The implementation of the order will be deferred till such time.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 13th June, 2007.